Case 1:17-cv-08068-JMF Document 39 Filed 08/30/18 Page 1 of 6

## KIRKLAND & ELLIS LLP

AND AFFILIATED PARTNERSHIPS

Richard C. Godfrey, P.C.
To Call Writer Directly:
+1 312 862 2391
richard.godfrey@kirkland.com

300 North LaSalle Chicago, IL 60654 United States

+1 312 862 2000

www.kirkland.com

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:\_\_\_
DATE FILED: 08/30/2018

Facsimile: +1 312 862 2200

August 28, 2018

The Honorable Jesse M. Furman United States District Court for the Southern District of New York 500 Pearl Street New York, NY 10007

Re: In re Gen. Motors LLC Ignition Switch Litig., 14-MD-2543

This Document Relates to All Actions

Dear Judge Furman:

Pursuant to Order No. 154 Section V (Docket No. 5976), New GM writes to update the Court regarding the status of plaintiffs that were subject to New GM's January 31, 2018 Motion to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(b)(6) (Docket Nos. 4996, 4997).

New GM's Motion currently is moot as to 252 plaintiffs, including:

- (i) 41 who filed amended complaints;
- (ii) 192 whose claims were dismissed (either voluntarily or by Court order);
- (iii) 3 for whom New GM agreed to withdraw the motion; and
- (iv) 16 whose claims have settled.

Four charts identifying Plaintiffs and their case numbers for each of the above categories are included within the attached **Exhibit A**.

The motion is likely to become moot as to the remaining 67 of the original 319 as their counsel have moved to withdraw and they are, or shortly will be, subject to procedures consistent with Order No. 137 (Docket No. 4840). A list of these 68 is attached as **Exhibit B**. To the extent these plaintiffs comply with the Order No. 137 procedures and pursue their claims, New GM reserves the right to move to dismiss their claims at that time.

## KIRKLAND & ELLIS LLP

The Honorable Jesse M. Furman August 28, 2018 Page 2

Respectfully submitted,

/s/ Richard C. Godfrey, P.C. /s/ Andrew B. Bloomer, P.C.

Counsel for Defendant General Motors LLC

cc: MDL Counsel of Record

The Clerk of Court is directed to terminate 14-MD-2543, Docket No. 4996 and all open associated motions in member cases --- a list of which is attached to this endorsed letter. Such termination is without prejudice to New GM renewing the motions with respect to the 67 Plaintiffs listed in Exhibit B, if appropriate, after the Order No. 137 procedures have run their course.

SO ORDERED.

August 29, 2018

## List of Open Motions to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(b)(6)

p	1:14-cv-05810-JMF Abney et al v. General Motors, LLC	552 MOTION to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).
p	1:14-cv-08176-JMF Fleck et al v. General Motors, L.L.C.	762 MOTION to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).
p	1:14-cv-10023-JMF Hayes et al v. General Motors, LLC	234 MOTION to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).
p	1:15-cv-00186-JMF Adams et al v. General Motors, LLC	171 MOTION to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).
p	1:15-cv-00550-JMF Bersano et al v. General Motors LLC	185 MOTION to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).
p	1:15-cv-01354-JMF Bendermon et al v. General Motors, LLC	180 MOTION to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).
p		179 MOTION to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).
p	1:15-cv-02844-JMF Morgan v. General Motors, LLC	168 MOTION to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).

p	1:15-cv-04142-JMF Altebaumer et al v. General Motors, LLC	175 MOTION to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).
p	1:15-cv-04385-JMF Uglow v. General Motors, LLC	137 MOTION to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).
p	1:15-cv-06578-JMF Blood v. General Motors LLC	150 MOTION to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).
p	1:15-cv-07445-JMF Campbell et al v. General Motors LLC	110 MOTION to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).
p	1:16-cv-00924-JMF Abram et al v. General Motors LLC	94 MOTION to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).
p	1:16-cv-00925-JMF Adesanya, et al v. General Motors, LLC	101 MOTION to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).
p	1:16-cv-01173-JMF Doyle et al v. General Motors, LLC	81 MOTION to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).
p	1:16-cv-02315-JMF Staton et al v. General Motors LLC	82 MOTION to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).
p	1:16-cv-02391-JMF Lakhani et al v.	83 MOTION to Dismiss 319 Claims Under Federal Rule of

Civil Procedure General Motors, LLC 12(B)(6).

84 MOTION to 1:16-cv-02919-JMF Dismiss 319 Claims Mistrot et al v. Under Federal Rule of General Motors,

Civil Procedure LLC

12(B)(6).

74 MOTION to 1:16-cv-03768-JMF

Dismiss 319 Claims Buckley et al v. Under Federal Rule of General Motors, Civil Procedure LLC

12(B)(6).

1:16-cv-04688-JMF

Dismiss 319 Claims Coleman et al v. Under Federal Rule of **General Motors** Civil Procedure

12(B)(6).

67 MOTION to

55 MOTION to

LLC.

1:16-cv-07420-JMF

Dismiss 319 Claims Brown et al v. Under Federal Rule of General Motors, Civil Procedure LLC 12(B)(6).

1:16-cv-08683-JMF

Smith et al v. **General Motors** LLC

54 MOTION to

Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).

1:16-cv-09518-JMF

Alexander et al v. General Motors, LLC

49 MOTION to

Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).

1:16-cv-10041-JMF

Vega et al v. General Motors, LLC

48 MOTION to Dismiss 319 Claims Under Federal Rule of Civil Procedure 12(B)(6).

51 MOTION to 1:17-cv-00482-JMF Dismiss 319 Claims Castillo et al v. Under Federal Rule of General Motors, Civil Procedure LLC 12(B)(6). 44 MOTION to 1:17-cv-01511-JMF Dismiss 319 Claims Freeman et al v. Under Federal Rule of **General Motors** Civil Procedure LLC 12(B)(6). 42 MOTION to 1:17-cv-02610-JMF Dismiss 319 Claims Stewart et al v. Under Federal Rule of **General Motors** Civil Procedure LLC 12(B)(6). 42 MOTION to 1:17-cv-02686-JMF Dismiss 319 Claims Zapata et al v. Under Federal Rule of General Motors. Civil Procedure LLC 12(B)(6). 35 MOTION to 1:17-cv-06273-JMF Dismiss 319 Claims Snodgrass et al v. Under Federal Rule of General Motors, Civil Procedure LLC 12(B)(6). 39 MOTION to 1:17-cv-06338-JMF Dismiss 319 Claims Fuentes et al v. Under Federal Rule of General Motors, Civil Procedure LLC 12(B)(6). 32 MOTION to 1:<u>17-cv-07441-JMF</u> Dismiss 319 Claims Allen et al v. Under Federal Rule of General Motors, Civil Procedure LLC 12(B)(6). 13 MOTION to 1:17-cv-08068-JMF Dismiss 319 Claims Eidsmoe et al v. Under Federal Rule of General Motors, Civil Procedure LLC

12(B)(6).